

U.S. Patent Application Serial No. **09/939,716**  
Amendment filed October 14, 2008  
Reply to OA dated July 24, 2008

**REMARKS**

Claims 16, 17, and 24 are currently pending in this application. Claims 16 and 17 have been amended herein. Claims 10-15 have been canceled herein without prejudice or disclaimer as to their subject matter. No new matter has been added.

The Examiner has indicated that claims 16 and 17 set forth allowable subject matter. Applicants appreciate this indication of allowable subject matter.

Applicants respectfully believe that the Office Action dated July 24, 2008 is incomplete and improper, because it does not indicate the status of claim 24, while it does indicate the status of claim 19, which has been canceled.

The Examiner has objected to claims 16 and 17 as being dependent upon a rejected base claim, and has noted that claims 16 and 17 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims.

Claims 16 and 17 , as amended, are in independent form. Accordingly, in view of the amendments and the remarks, Applicants respectfully submit that this objection should be withdrawn.

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The Examiner has rejected claims 10-15, and 19 under 35 USC 103(a) as obvious over U.S. Patent No. 5,543,952 (Yonenaga '952) in view of XP000227527 (Chung '527).

Claims 10-15 and 19 have been canceled without prejudice or disclaimer as to this subject matter. Accordingly, in view of the amendments and the remarks, Applicants respectfully submit that this rejection is moot and should be withdrawn.

The Examiner has rejected claim 13 under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,543,952 (Yonenaga '952) in view of XP000227527 (Chung '527) and U.S. Patent No. 5,271,074 (Tocci '074).

Claim 13 has been canceled without prejudice or disclaimer as to its subject matter. Accordingly, in view of the amendments and the remarks, Applicants respectfully submit that this rejection is moot and should be withdrawn.

Specification and Claim 16.

Applicants have herein corrected a typographical error in claim 16 and also in the specification. In the specification, on page 21, at lines 21-29, there is a following description:

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“According to the present invention, the length and/or shape of electrodes are not designed for high speed operation, but designed to satisfy desired bandwidth restriction performance by using loss in an electrode, and phase mismatching between an electrical modulation signal and an optical wave which is subject to be modulated, so that a MZ light modulator doubles as a bandwidth restriction means.”

The underlined portion indicates that the length and/or shape of electrodes are not for high speed operation, i.e., high frequency, and used for bandwidth restriction. This means electrodes are designed for restricting high frequency, i.e., as lowpass filter. Therefore, the loss at  $f_0/2$  is smaller than frequencies above  $f_0/2$ , and “larger” is a typographical error which should have stated “smaller.”

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants’ undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due now or in the future with respect to this application, to Deposit Account No. 01-2340.

Respectfully submitted,  
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